

**Acknowledgment and  
Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**

**THE STATE OF UTAH**

**TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:**

**Know ye,** This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of “the right of way for the construction of highways over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Tooele County as it pertains to the highway located in Tooele County known as Flowing Well Road; County Road Number: tc00336; State Geographic Information Database (SGID) Road Identification Number: RD230015. Total road length is 0.21 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as “Attachment 1,” a printed copy of representative photos of the road is appended hereto as “Attachment 2,” a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as “Attachment 3,” and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as “Attachment 4.” The Appendices listed in “Attachment 4” that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as “Attachment 5.”

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 20<sup>th</sup> day of June, 2008.

By the Governor's Designee

  
John Harja

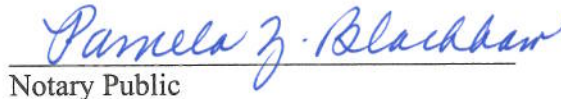
### CERTIFICATION

State of Utah                     )  
  : ss  
County of Salt Lake            )

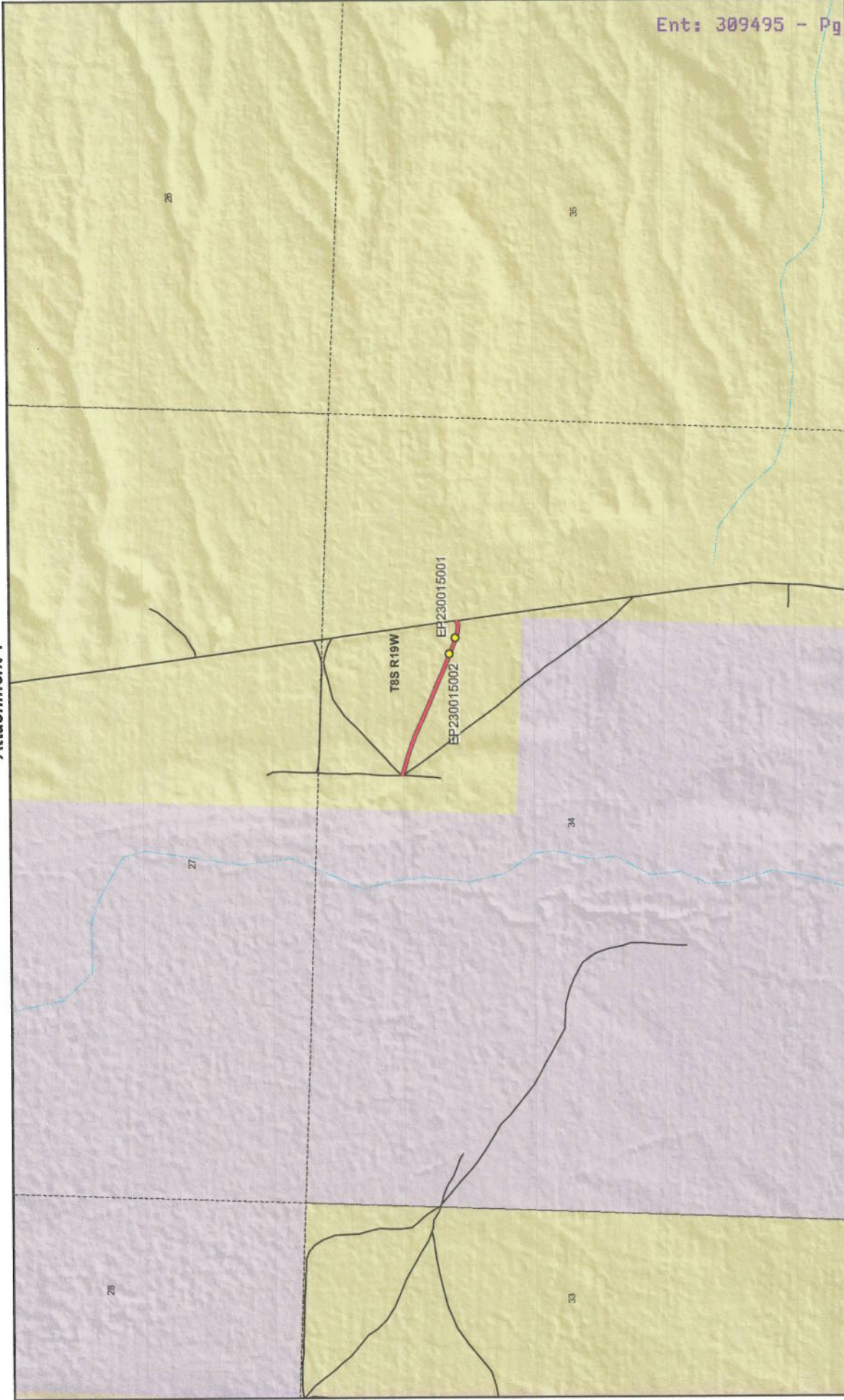
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 20<sup>th</sup> day of June, 2008.



  
Notary Public





Ent: 309495 - Pg 3 of 13



1:10,740  
1 inch equals 0.2 miles



- Land Ownership Categories**
- BLM
  - Private
  - SITLA, State Trust Land
  - USFS, National Forest
  - State Parks and Recreation
  - Tribal, Indian Reservation
  - NPS, National Park
  - Wilderness
  - UDWR Wildlife Reserve
  - DOD, Military
  - State Sovereign Land
  - National Recreation Area
  - USFWS, Natl. Wildlife Refuge

- Transportation Network**
- Flowing Well Road
  - Other Roads
  - Title V: Issued Or Under Consideration By BLM Or County
  - Photo Event Point
  - Section = 1 Mile

**Flowing Well Road - Tooele County  
SGID RD\_ID RD230015**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Jun 16, 2008





EP230015001



EP230015002

EP000000000

EP000000000

EP000000000

EP000000000

**Flowing Well Road - Tooele County**  
**SGID RD\_ID RD230015**

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 June 18, 2008





### **Attachment 3**

#### **Beginning & Ending Points and Township, Range, and Section References For:**

**Popular Name: Flowing Well Road**

**County: Tooele**

**County Road Number: tc00336**

**State Geographic Information Database (SGID) Road Identification Number: RD230015.**

**Total Road Length: 0.21 miles more or less.**

**Beginning at a point** on the road centerline located at 40 degrees 05 minutes 35.27 seconds North Latitude and -113 degrees 58 minutes 23.02 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 948,649.8 feet and Y = 7,212,210.9 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 40 degrees 05 minutes 31.95 seconds North Latitude and -113 degrees 58 minutes 09.48 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 949,692.4 feet and Y = 7,211,846.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 8 South Range 19 West, Section(s) 34, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

## Attachment 4 Road Centerline Description Cover Page(s)

**Popular Name:** Flowing Well Road

**County:** Tooele

**County Road Number:** tc00336

**State Geographic Information Database (SGID) Road Identification Number:** RD230015.

**Total Road Length:** 0.21 miles more or less.

**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).**

<b>Road-Segments Listed by SGID Road Identification Number (RD_ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD230015</b>	<b>001</b>	<b>BLM</b>	<b>0.21 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.21</b>	<b>_____</b>

\* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

**AFFIDAVIT OF GAIL F. PARKER**

**FLOWING WELL ROAD**

**TOOELE COUNTY, UTAH**

**ROAD NUMBER 00336**

State of Utah                     )  
  : ss.  
County of Tooele                )

GAIL F. PARKER, being first duly sworn, deposes and states as follows:

1.       I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Ibapah, Tooele County, Utah. I have lived in Tooele and Juab Counties in the Callao and Ibapah areas for the past 50 years.

2.       I have traveled and am familiar with a road in Tooele County known as Flowing Well Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s it followed the same route as in 2007. Attached is a Tooele County map showing Flowing Well Road. I know the road as Bonnamont Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3.       The County also identifies this road according to the road number listed above.

4.       I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 2007. Throughout this time period I observed travel on the road by means of cars, pickup trucks and ATVs. During this time period, the road was used daily, for more than ten continuous years prior to 1976 and was so used in 2007.

5.       Throughout the time period from the early 1960s to 2007, I have used the road myself for livestock operations, visiting sheep camp residents and recreation.



6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus private property access, sightseeing and recreation.

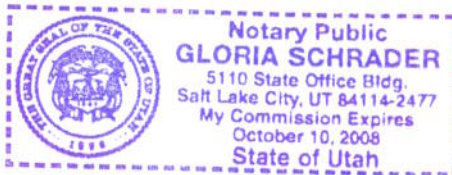
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.


8. Prior to 1976, I observed the graded surface of the road and other evidence of maintenance and construction such as berms along the side of the road.

DATED this 30 day of August, 2007.

  
GAIL F. PARKER

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of August, 2007.



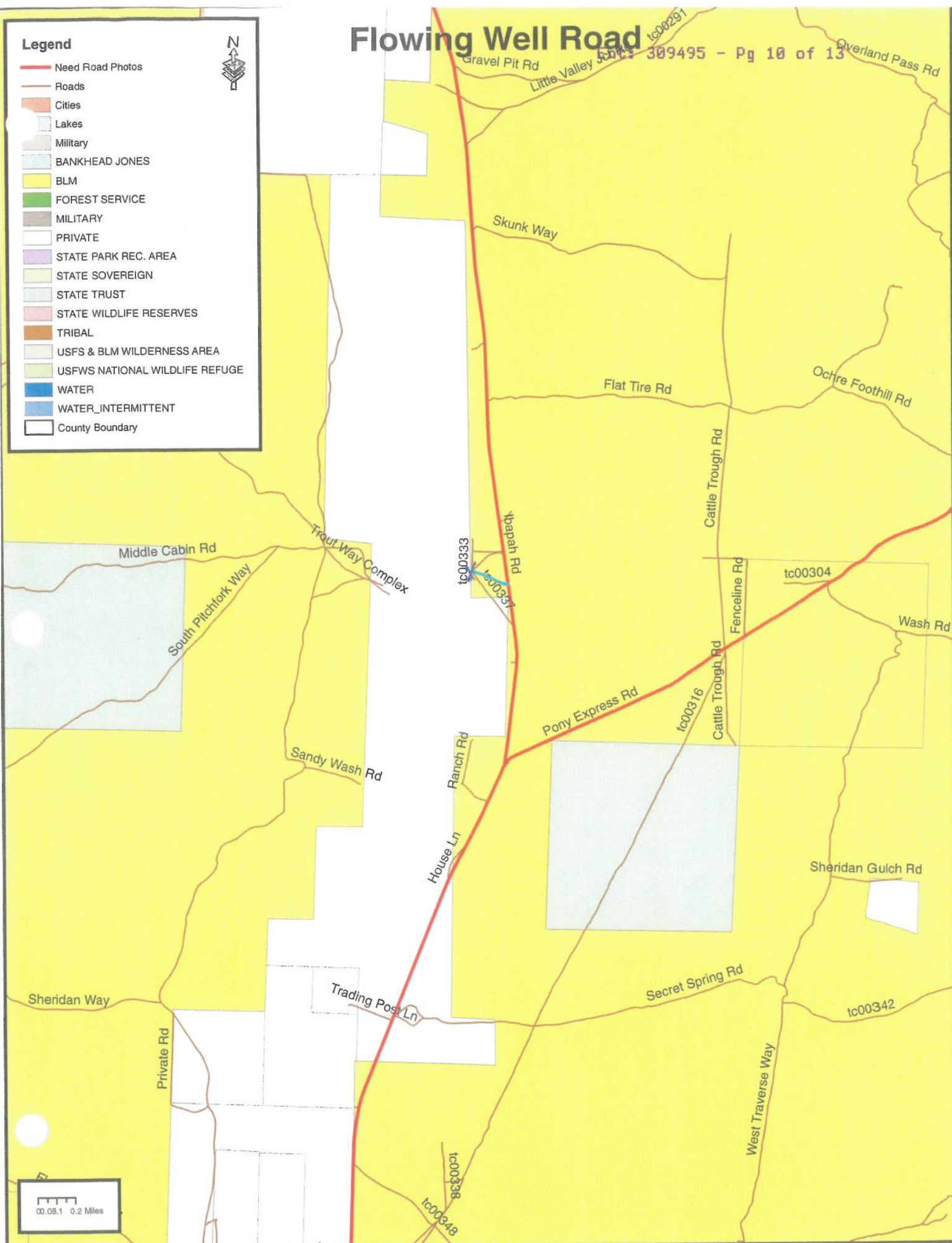
  
NOTARY PUBLIC

# Flowing Well Road

309495 - Pg 10 of 13

## Legend

- Need Road Photos
- Roads
- Cities
- Lakes
- Military
- BANKHEAD JONES
- BLM
- FOREST SERVICE
- MILITARY
- PRIVATE
- STATE PARK REC. AREA
- STATE SOVEREIGN
- STATE TRUST
- STATE WILDLIFE RESERVES
- TRIBAL
- USFS & BLM WILDERNESS AREA
- USFWS NATIONAL WILDLIFE REFUGE
- WATER
- WATER\_INTERMITTENT
- County Boundary



**AFFIDAVIT OF JOHN ROBERT DROUBAY**

**FLOWING WELL ROAD**

**COUNTY ROAD NUMBER 00336**

**TOOELE COUNTY, UTAH**

State of Utah                                 )  
  : ss.  
County of Tooele                            )

JOHN ROBERT DROUBAY, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Tooele County for 77 years.

2. I have traveled and am familiar with a road in Tooele County known as Flowing Well Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1947 it followed the same route as in 2006 when I last observed it. Attached is a Tooele County map showing Flowing Well Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.

3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1947 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including cars, ATVs, trucks and jeeps. Throughout this time period, the road has been used daily, for more than ten continuous years prior to 1976, and was so used in 2006.



4. Throughout the time period from 1947 to 2006, I have used the road myself for access to Flowing Wells and traveling in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus livestock operations, prospecting for minerals and rock hounding.

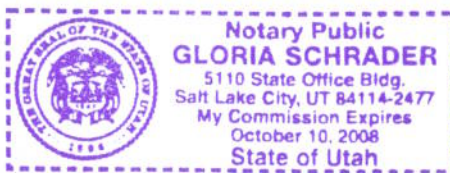
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed the graded surface of the road.

Dated this 27 day of August, 2007.

  
JOHN ROBERT DROUBAY

SUBSCRIBED AND SWORN to before me this 27<sup>th</sup> day of August, 2007.



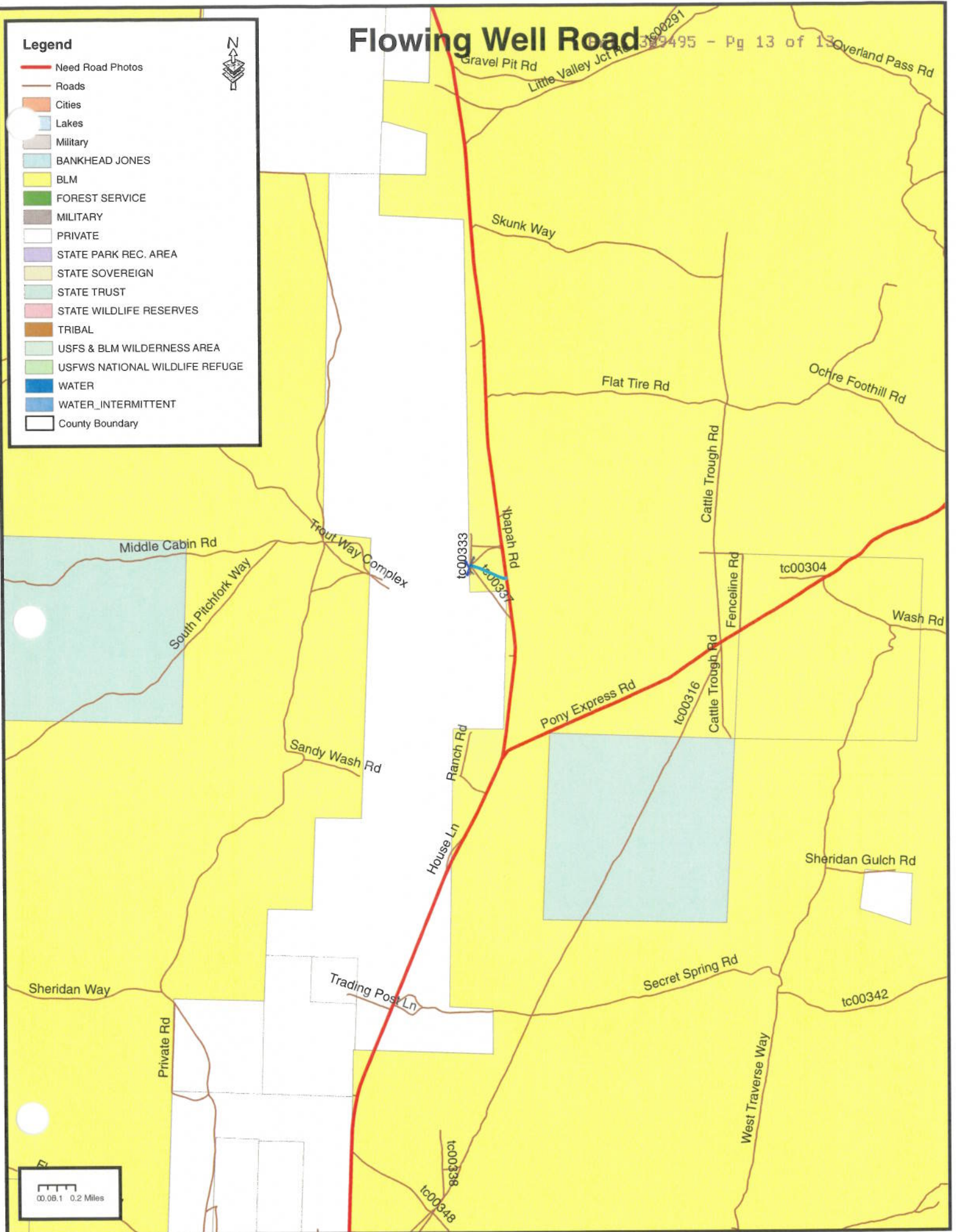
  
NOTARY PUBLIC

# Flowing Well Road

tc00291  
tc00495 - Pg 13 of 13

## Legend

- Need Road Photos
- Roads
- Cities
- Lakes
- Military
- BANKHEAD JONES
- BLM
- FOREST SERVICE
- MILITARY
- PRIVATE
- STATE PARK REC. AREA
- STATE SOVEREIGN
- STATE TRUST
- STATE WILDLIFE RESERVES
- TRIBAL
- USFS & BLM WILDERNESS AREA
- USFWS NATIONAL WILDLIFE REFUGE
- WATER
- WATER\_INTERMITTENT
- County Boundary





## Appendix A to Attachment 4

**Popular Name: Flowing Well Road**

**County: Tooele**

**County Road Number: tc00336**

**State Geographic Information Database (SGID) Road Identification Number: RD230015.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.21 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 8 South Range 19 West, Section(s) 34, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Flowing Well Road)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 40 degrees 05 minutes 35.27 seconds North Latitude and -113 degrees 58 minutes 23.02 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 948,649.8 feet and Y = 7,212,210.9 feet; thence the following courses along the said road center line:

thence South 65 Degrees 41 Minutes 23 Seconds East	39.3 feet
thence South 73 Degrees 32 Minutes 30 Seconds East	119.2 feet
thence South 70 Degrees 24 Minutes 21 Seconds East	139.5 feet
thence South 66 Degrees 39 Minutes 39 Seconds East	130.7 feet
thence South 65 Degrees 48 Minutes 51 Seconds East	127.2 feet
thence South 67 Degrees 13 Minutes 02 Seconds East	116.9 feet
thence South 66 Degrees 49 Minutes 58 Seconds East	98.7 feet
thence South 68 Degrees 02 Minutes 45 Seconds East	86.5 feet
thence South 70 Degrees 10 Minutes 47 Seconds East	76.1 feet
thence South 69 Degrees 09 Minutes 32 Seconds East	49.9 feet
thence South 83 Degrees 01 Minutes 32 Seconds East	12.9 feet



thence South 65 Degrees 13 Minutes 00 Seconds East 23.2 feet  
thence South 80 Degrees 06 Minutes 16 Seconds East 64.6 feet  
thence North 59 Degrees 04 Minutes 06 Seconds East 35.4 feet more or less to **the ending**  
**point at:** 40 degrees 05 minutes 31.95 seconds North Latitude and -113 degrees 58 minutes 09.48 seconds  
West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet  
coordinates of X = 949,692.4 feet and Y = 7,211,846.1 feet.

## Attachment 5